

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- June 14, 1967

Appeal No. 9256 D.C. Redevelopment Land Agency, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and carried with Mr. William F. McIntosh dissenting, the following Order was entered at the meeting of the Board on June 20, 1967.

EFFECTIVE DATE OF ORDER - Dec. 5, 1967

ORDERED:

That the appeal for a variance of the provisions of Section 7202 to reduce parking spaces by not more than 10% and for a variance from Section 7206 to permit attendant parking for housing development at 825 North Capitol Street, NE., lot 117, square 676, be granted.

FINDINGS OF FACT:

(1) The subject property is an unimproved lot located in a C-M-3 District.

(2) The property is located within the area called Northeast Urban Renewal Plan.

(3) It is proposed to erect a nine story office building called Union Center Plaza which will be part of a larger project. The building will have a gross floor area of approximately 293,700 square feet.

(4) Appellant is required by the Regulations to provide 324 off-street parking spaces. It is proposed to accommodate this parking on the ground level and in two underground parking levels.

(5) Appellant states that it is intended to provide in excess of 400 off-street parking spaces on the site. This number of spaces requires an attendant.

(6) The current plans provide for 311 spaces (self park). This requires a reduction of 32 spaces. The plans give the architect sufficient flexibility to accommodate a change in the spaces which may have to be made to conform to Urban Renewal Plan requirements.

(7) Tiber Creek passes directly under the site and presents construction problems, limiting on-site underground parking to two levels.

(8) Appellant states that the plans call for a building that will house approximately 1,500 persons. This is based upon an allowance of 150 square feet of usable floor area for each person.

(9) By letter dated June 13, 1967 (BZA Exhibit No. 15), the Redevelopment Land Agency Executive Director states in part:

"This Agency presently owns this land and proposes to sell it to Union Center Plaza Associates, in which Cohn- Bernstein Associates have majority interest.*** A major office complex ultimately to cover nearly three-fourths of a million square feet of floor area is envisioned. The development will proceed in two phases. Lot 117, which contains all the land located south of the 50-foot unbuildable easement in former Eye Street, will proceed first. The second stage will include the easement and all land north of it to K Street. We support Cohn-Bernstein's request for the following reasons:

(1) The existence of the unbuildable easement in former Eye Street makes development of underground parking more difficult. ***this easement contains some 11,500 square feet of land area. Had this area been buildable, two levels of underground parking would have been provided here. This would have accommodated some 77 cars, in addition to providing more efficient garage layout. The requested exception would reduce the number of spaces by 30 some cars.

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(3) The exception has been requested in order to make feasible an arcade on all four sides of the building. We consider this arcade to be a desirable feature particularly in light of the large interior area of this super block. The sole reason for the exception is to avoid a parking requirement for the area devoted to arcades"

(10) No opposition to the granting of this appeal was registered at the public hearing.

(11) The appeal was amended to include a request for penthouse approval.

(12) The proposed penthouse will have an area of 12,600.06 square feet and an FAR of 0.25.

(13) The penthouse will include the boiler room, miscellaneous mechanical equipment, stairs, elevators, etc.

(14) The material and color of the street facade and the roof structure of the building will be precast exposed aggregate concrete.

OPINION:

We deny the request for a reduction in off-street parking spaces. The request for attendant parking is granted. We think that the provisions of the parking required by the Regulations will be necessary to serve the various uses to be made of the project and that the requested relief can be granted without detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan. The proposed attendant will in fact promote the public interest in providing on-site parking and relieve congestion caused by the influx of large numbers of automobiles.

We further believe that the roof structure will harmonize with the street frontage of the proposed building in architectural character, material, and color and will be in harmony with the purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of nearby and adjoining property.